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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,217	07/17/2003	Joseph Edward Currie		1056
34606	7590	05/19/2005		
JOSEPH E. CURRIE 506 WHITE PLAINS RD. WEBSTER, NH 03303-7112			EXAMINER WARD, JOHN A	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/621,217	CURRIE, JOSEPH EDWARD	
	<b>Examiner</b>	<b>Art Unit</b>	
	John A. Ward	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>062004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-15 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (US 6,461,028).

Regarding claim 5 Huang ('028) discloses a vehicle signal light assembly having a first component including a printed circuit board 1, a row of light emitting diodes, a elongated optically transmissive 31 with light diffusive means 33, a optically transmissive, injection molded UV resistant, as second component having a polycarbonate cover 3 (column 2, lines 21-25) with inner first side surface shaped to fit against all facets of the light diffusing means on the outer side of the first component (figure 2).

Regarding claim 6, Huang teaches that the first component is optically transparent (column 2, lines 7-10).

Regarding claim 7, Huang shows in figure 2 that the printed circuit board has two sides with light emitting diodes located on one side.

Regarding claim 8, Huang shows in figure 6 the light diffusing includes at least one outer surface having "V" shaped indentions.

Art Unit: 2875

Regarding claim 10, Huang shows in figure 4 how the cover has a first and second side conformed to the outside surface contour a motor vehicle.

Regarding claims 5, 9, 12-15, and 18, Huang shows in figure 4 two mechanical fasteners 30 secure the second component to the first, but does not disclose the type of plastic or process, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art. ***In re Aller, 105 USPQ 233.***

Regarding claims 6, 7, 11, and 19-22 Huang discloses all the limitations of the claims, but does not disclose the color of the light emitting diode, or the type of color of the plastics, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use different colors, since applicant has not disclosed that using different colors solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with clear or opaque materials.

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (US 6,461,028).

Regarding claim 16, Huang ('028) discloses a vehicle signal light assembly having a first component including a printed circuit board 1, a row of light emitting diodes, a elongated optically transmissive 31 with light diffusive means 33, a optically transmissive, injection molded UV resistant, as second component having a polycarbonate cover 3 (column 2, lines 21-25) with inner first side surface shaped to fit

Art Unit: 2875

against all facets of the light diffusing means on the outer side of the first component (figure 2).

Regarding claim 16, Huang discloses all the limitations of the claimed invention, but does not disclose the type of plastic or process used for the cover, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art. ***In re Aller, 105 USPQ 233.***

Regarding claims 16, Huang shows in figure 4 two mechanical fasteners 30 secure the second component to the first, but does not disclose the type of plastic or process, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art. ***In re Aller, 105 USPQ 233.***

Regarding claim 16, Huang does not disclose a second LED mounting board and LED's, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use as multiple injection molded components and a second LED mounting board, since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. ***St. Regis Paper Co. v. Bemis Co., 193 USPQ 8.***

Regarding claim 17, Huang shows in figure 4 the cover includes an extended lip 30 for snap fit retention.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (US 6,461,028).

Regarding claim 23, Huang ('028) discloses a vehicle signal light assembly having a first component including a printed circuit board 1, a row of light emitting diodes, a elongated optically transmissive 31 with light diffusive means 33, a optically transmissive, injection molded UV resistant, as second component having a polycarbonate cover 3 (column 2, lines 21-25) with inner first side surface shaped to fit against all facets of the light diffusing means on the outer side of the first component (figure 2). Huang shows in figure 6 the light diffusing includes at least one outer surface having "V" shaped indentions.

Regarding claim 23, Huang discloses all the limitations of the claimed invention, but does not disclose the type of plastic or process used for the cover, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art. ***In re Aller, 105 USPQ 233.***

Regarding claim 24, Huang shows in figure 4 how the cover has a first and second side conformed to the outside surface contour a motor vehicle.

### ***Response to Arguments***

Applicant's arguments filed March 8, 2005 have been fully considered but they are not persuasive. The amended independent claims were written to broaden the scope of the claims which are now rejected by the prior art cited above.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hou (US 6,619,824), Chiang (US 6,505,963), Balestrieri et al (US 6,561,690) and Schreck et al (US 6,825,420).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Ward whose telephone number is 571-272-2386. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAW  
May 6., 2005

A handwritten signature in black ink, appearing to read 'JAW', with a stylized, cursive flourish extending from the end.

**JOHN ANTHONY WARD  
PRIMARY EXAMINER**